

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	CASE NO. 1:19CR124-2
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
JAIME HERNANDEZ DE LA PAZ,)	
)	ORDER [Resolving ECF No. 153]
Defendants.)	

Initially, Defendant Jaime Hernandez La Paz was charged in a criminal complaint ([ECF No. 1](#)) with an offense carrying a rebuttable presumption in favor of detention. Magistrate Judge Thomas M. Parker issued a Order of Temporary Detention Pending Hearing. [ECF No. 3](#). Represented by counsel, Defendant waived his right to a detention hearing and reserved the right to revisit the issue of detention at a later time. [ECF No. 5](#). Later, Defendant was charged by indictment ([ECF No. 6](#)) with two offenses carrying the presumption of detention. A superseding indictment was returned, charging Defendant with three offenses carrying a rebuttable presumption of detention. *See* [ECF No. 27](#) (Counts I, III, and V). Defendant subsequently pled guilty to the three offenses pursuant to a written plea agreement. *See* Minutes of proceedings December 10, 2019.

Pending is Defendant's motion for release on bond, which relies on the general existence of COVID-19 as sole justification for release, and does not offer a rebuttal to the presumption of detention. *See* [ECF No. 153](#).

(1:19CR124-2)

The general existence of COVID-19 has no bearing on the ultimate decision the Bail Reform Act requires of the Court---deciding whether Defendant has demonstrated by clear and convincing evidence that he is neither a flight risk or danger to the community. [18 U.S.C. § 3143](#). Because Defendant has failed to rebut the presumption that there are no conditions of release that will reasonably assure his appearance as required and the safety of the community, his motion is denied.

IT IS SO ORDERED.

April 13, 2020
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge